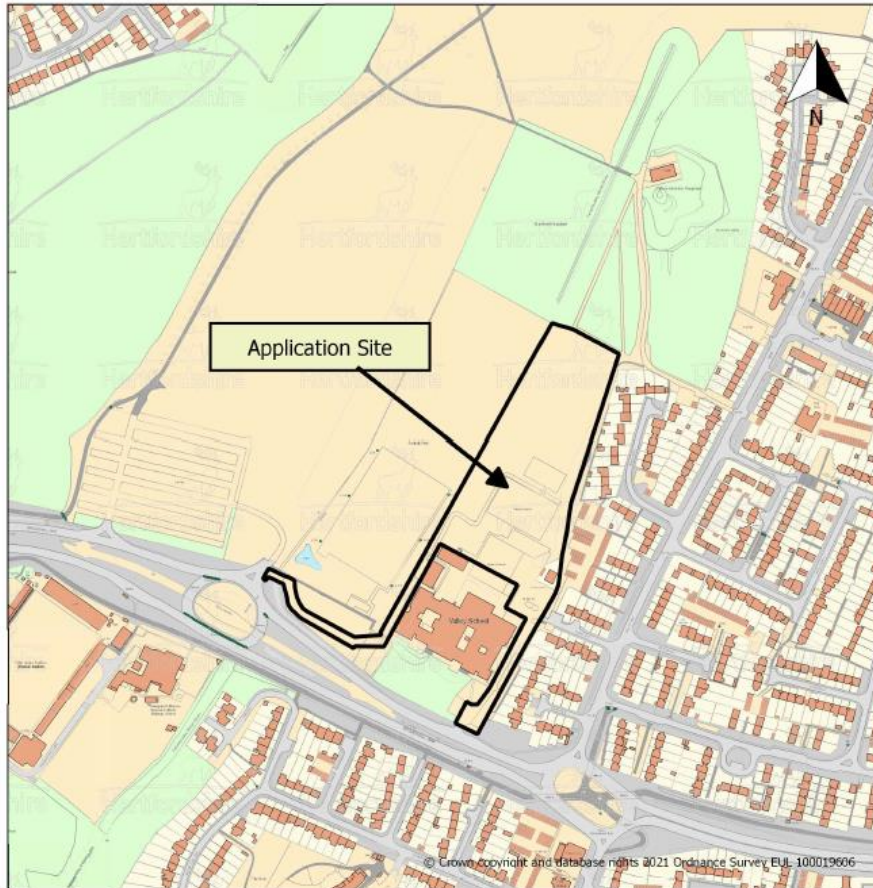


Meeting:	Planning and Development Committee	Agenda Item:
Date:	9 December 2021	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	21/01150/CC
Location:	The Valley School, Broadhall Way, Stevenage
Proposal:	Application for the proposed erection of a one-storey building for a replacement special needs school together with ancillary external play and teaching areas, landscaping, parking and other associated works, including demolition of existing caretaker's bungalow and provision of temporary construction access from Broadhall Way.
Drawing Nos.:	TVS-SBA-XX-XX-VA-A-235 P0; TVS-SBA-XX-XX-VS-A-234 P0; TVS-SBA-XX-RL-DR-A-014 P0; TVS-SBA-XX-GF-DR-A-013 P0; TVS-SBA-XX-XX-DR-A-503 P0; TVS-SBA-XX-ZZ-DR-A-205 P0; TVS-SBA-XX-ZZ-DR-A-204 P0; TVS-SBA-XX-DR-A-203 P0; TVS-SBA-XX-ZZ-DR-A-202 P0; TVS-SBA-XX-ZZ-DR-A-201 P0; TVS-SBA-XX-DR-A-200 P0; TVS-SBA-XX-ZZ-DR-A-109 P0; TVS-SBA-XX-ZZ-DR-A-108 P0; TVS-SBA-XX-XX-DR-A-504 P1; TVS-SBA-XX-XX-VS-A-236 P0; F1754/PS/200-02; F1754/PS/200-03; F1754/PS/001 C; F1754/PS/200-01;
Applicant:	Hertfordshire County Council
Date Valid:	6 August 2021
Recommendation:	No objection to the proposed development.



Application for the proposed erection of a one-storey building for a replacement special needs school together with ancillary external play and teaching areas, landscaping, parking and other associated works, including demolition of existing caretaker's bungalow and provision of a temporary construction access from Broadhall Way at The Valley School, Broadhall Way, Stevenage, Hertfordshire, SG2 9BN

0 100 200 300 400 500 metres



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Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site, which measures approximately 2.4 hectares, is located at the southern end of the Borough, located adjacent to Broadhall Way (A602) and due west of Valley Way. The site comprises land which is located north of the existing buildings which make up The Valley School. The majority of this area comprises grass playing fields for the school along with the disused hard courts. The site also comprises a small bungalow and associated garage which was previously occupied by the school caretaker. The land to the east and west of the existing school buildings would be utilised to provide access to the proposed development area.
- 1.2 The school site is currently accessed via an existing vehicular access off Valley Way to the east which also includes pedestrian and cycle access. The school is also accessed from Broadhall Way to the south-east. The site has a sloping topography which

declines from the existing car park at the northern end towards the south of the main school buildings and the playing fields at the northern end.

- 1.3 To the north of the site lies Shackledell and Grassland Valley Wood and to the west of the site are sports pitches which are operated by the Sports Academy. Beyond these pitches lies Fairlands Valley Park. To the east is the predominantly residential area of Valley Way and to the south is Broadhall Way. To the south-east beyond Broadhall Way is Stevenage Football Club.
- 1.4 The Valley School is a special educational needs secondary school for pupils aged 11-16 with the buildings dating back to the 1960s.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 2/0086/63 sought permission for the provision of playing fields for the proposed grammar school. This application was granted planning permission in September 1963.
- 2.2 Planning application 2/0100/65 sought permission for the erection of a 3 FE Grammar School. This application was granted planning permission in July 1965.
- 2.3 Planning application 2/0058/67 sought permission to erect extensions to the school (Phase II). This application was withdrawn (No date specified on system).
- 2.4 Planning application 2/0031/71 sought permission for the erection of tennis courts. This application was granted planning permission in January 1971.
- 2.5 Planning application 2/0290/75 sought permission for two external fire escape staircases. This application was granted planning permission in January 1976.
- 2.6 Planning application 2/0353/89 sought permission for the change of use of the first floor of one block for occupation by County Council Staff for 3 years. The application was withdrawn in November 1989.
- 2.7 Consultation reference 05/00486/REG3 by HCC for proposed external fire escape and alterations of existing parking facilities to accommodate a new fire evacuation location point. New DDA lift, access road, parking bay and front entrance ramped approach. The Council raised no objection to the proposed development in October 2005.
- 2.8 Consultation reference 10/00142/CC by HCC for the erection of a 2.4m high close board timber fence to the eastern boundary of the school site. The Council raised no objection to the proposed development in May 2010.

3. THE CURRENT APPLICATION

- 3.1 To provide a Council response to Hertfordshire County Council (HCC) on planning reference PL/0218/21 (Stevenage Borough Council Reference:- 21/01150/CC) which is for the following proposed development:-

Application for the proposed erection of a one-storey building for a replacement special needs school together with ancillary external play and teaching areas, landscaping, parking and other associated works, including demolition of existing caretaker's bungalow and provision of temporary construction access from Broadhall Way.

- 3.2 The replacement school building would accommodate the same number of secondary school-age pupils where the current school capacity is 165 pupils with 75 staff. The

new building has been designed to meet the specific needs of the pupils. The proposed building would be single storey with its main entrance to the south. The building's new main hall, sports hall and fitness studio, as well as the outdoor sports facilities, would be open to the wider community outside of school hours.

- 3.3 This application comes before the Planning and Development Committee as it is a consultation from HCC for a Major Development in Stevenage.

4. PUBLIC REPRESENTATIONS

- 4.1 Hertfordshire County Council as the Local Planning Authority will have undertaken the necessary consultation with local residents. As such, all public representations will be directed to HCC as the determining authority.

5. CONSULTATIONS

5.1 Council's Environmental Health Section

- 5.1.1 Environmental Health recommends the following conditions are imposed / matters to be considered as part of the decision making process:-

Contaminated Land

- 5.1.2 If during the course of development any contamination is found or suspected, works shall cease and the local planning authority shall be informed immediately. The development shall not continue until any required remediation as agreed in writing by the local planning authority has been undertaken.

Dust Emissions

- 5.1.3 Dust emissions shall be controlled throughout the construction and demolition phases so as to prevent nuisance to the occupiers of neighbouring premises. The use of screening, damping down and thorough cleaning must be implemented, as well as regular wheel cleaning and monitoring of traffic by banksmen / traffic marshals.

Disposal of Waste

- 5.1.4 I note that there is a paragraph in the CEMP about disposal of waste, the Environmental Health Section would recommend adding no burning of waste to be allowed on site.

Noise

- 5.1.5 No demolition or construction works relating to this permission shall be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any weekdays, nor on any Saturday before 08.00 hours or after 13.00 hours. In the CEMP it mentions work on Saturday until 14.00 or 15.00 – our local recommendations are that noisy works should cease at 13.00. These times apply to work which is audible at the site boundary. The proximity to adjacent residents must be considered when undertaking noisy work such as piling, which is likely to cause disruption. The mitigation procedures set out in the CEMP must be followed. Communication with local residents around scheduled noisy works is recommended.

Lighting

- 5.1.6 Site lighting must not cause nuisance to local residents.

Air Quality

- 5.1.7 Vehicle engines must be switched off when vehicles are stationary; clear signage to prevent idling should be displayed, and the rule enforced by authorised personnel, who can turn off engines if they witness a contravention.

5.2 Council's Arboricultural Manager

- 5.2.1 Following an assessment of the application, there is no objection from an arboricultural view point. However, in order to prevent any tree encroachment onto the proposed building, it is suggested a condition is imposed. This condition will require the applicant to carry out the necessary cutback works by a qualified tree surgeon and sympathetically to the trees health, stability and amenity value.

5.3 Council's Parks and Amenities Section

- 5.3.1 No comments.

5.4 Council's Leisure and Community Services

- 5.4.1 Following attendance at the consultation event, it was agreed in principle that the school would want some community use. However, the specialist nature of the school and the design of it may limit the use to very small specialist groups. However, this view may have changed since the event and the school may be subject to a CUA (Community Use Agreement).

5.5 Police Crime Prevention and Design Advisor

- 5.5.1 I note from the documentation that has been submitted that the intention is to build to the aspirations of the Police preferred minimum security standard that is Secure by Design (SBD). However, the applicants have forgotten to mention that the project team have already engaged with Hertfordshire Constabulary's Crime Prevent Design Service (CPDS) and have had dialogue with the local Crime Prevention Design Advisor (CPDA) to discuss the project with a view to seeking to achieve SBD accreditation. During the meeting minor alterations were made to the original design and notes on the required third-party certification of various components were made.
- 5.5.2 In light of these events the Police CPDS fully support this planning application and the CPDA looks forward to receiving the SBD paperwork once the planning permission is granted.

5.6 Herts and Middlesex Wildlife Trust

- 5.6.1 There is no in principle objection to this application but more information is required before the application can be decided. The full NE biodiversity metric spreadsheet must be supplied to enable the summary figures contained in the report to be verified. This must correspond with the areas on the submitted landscape plans.
- 5.6.2 The wildflower mixes specified in the landscape plan for do not accord with naturally occurring communities and are not acceptable. More authentic mixes that simulate appropriate NVC communities will be required. Hedgerow and scrub mixes should contain a minimum of 8 species to maximise opportunities for biodiversity.
- 5.6.3 Once these changes have been made and the required information has been supplied and accepted, the application can be approved with a condition for a landscape and ecological management plan that delivers the habitat condition as set out in the metric. The LEMP must specify exactly how many habitat units will be delivered and the

establishment, management and monitoring regimes required achieving this. HMWT can supply a suitable condition once the requested information has been received and approved.

6. CONSULTATION RESPONSES TO HERTFORDSHIRE COUNTY COUNCIL

6.1 Sport England

6.1.1 Sport England raise no objection to the application as a statutory consultee, subject to the proposed financial contribution to mitigate the impact of the development on the playing fields being secured through a section 106 agreement and a planning conditions being imposed requiring the submission and approval of a community use agreement as set out in their response.

6.1.2 Sport England advised that it is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement. Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 99), and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- All or any part of a playing field, or
- Land which has been used as a playing field and remains undeveloped, or
- Land allocated for use as a playing field.

6.1.3 In summary, the planning application involves redeveloping the Valley School site to provide a replacement SEN school that would be sited on the school's existing natural turf playing field, hard play areas and car park to the north of the site. The existing school's buildings to the south of the site would remain in operation while the new school is built. The new school buildings, external areas and replacement hard play would result in the loss of all of the existing hard play areas and a substantial proportion of the natural turf playing field (approximately 0.41 ha). The northern part of the playing field (approximately 0.45 ha) would be retained for supporting the new school. As set out in the Planning Statement and the Sport England Note, it is proposed that the loss of part of the Valley School's playing field will be principally mitigated by a financial contribution being offered that would be used towards the delivery of community playing field projects within Stevenage.

Assessment against Sport England Policy

6.1.4 The applicant has engaged with Sport England and Stevenage Borough Council at pre-application stage and during the determination of the planning application with a view to developing a playing field mitigation package that would accord with our policy. The current package is set out in Planning Statement and the Sport England Note, and, in summary, involves:

- A financial contribution of £102,234 being paid to Stevenage Borough Council that would be used towards the delivery of 3G artificial grass pitch, grass playing pitches or playing pitch ancillary facilities in Stevenage that would be paid prior to

- commencement of development and would need to be used within a period of 5 years from receipt of payment;
- The new school would include a hall, sports hall, fitness studio that would be made available for community use outside of school hours in addition to the remaining playing field and replacement multi-use games area.
- 6.1.5 Exception 4 of Sport England's playing fields policy permits the loss of playing fields if the playing field that would be lost as a result of the proposed development would be replaced by a playing field of equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development. When assessed against this exception (which is consistent with paragraph 99(b) of the NPPF), the package may not entirely accord with the policy. This is because the proposal to make a financial contribution that would be used towards 3G artificial grass pitch, grass playing pitches or playing pitch ancillary facility projects in Stevenage may not deliver a replacement playing field of equivalent or greater quantity to the playing field that is being lost on the application site because the contribution is more likely to be used towards enhancing the facilities at an existing playing field site rather than creating a new playing field. Furthermore, due to the potential time lag between development starting on the playing fields on the application site and the mitigation projects (that would be funded by the financial contribution) being delivered, the replacement playing fields would not be expected to be available prior to development commencing on the playing fields that would be lost.
- 6.1.6 Whilst the principal element of the mitigation package that has been offered would not fully accord with exception 4, the following considerations which apply specifically to this case are significant to Sport England's assessment, the part of the playing field that would be lost to the new school development is not needed for educational use and has not had any recent community use outside of school hours. The Valley School is a SEN school that does not mark out pitches as this is not responsive to the educational needs of the pupils that the school accommodates.
- 6.1.7 While a smaller playing field area needs to be retained for the school, this would be used for informal sport and recreation rather than marked out playing pitch use. It is understood that because the site was originally designed as a secondary school before it was converted to a SEN school that it had a much larger playing field area than that required to meet the educational needs of the current school. The retained area of playing field would still exceed the recommended guidance for special educational needs schools in terms of the minimum area that should be provided in quantitative terms. The playing field is understood to not have had any community use since the adjoining Sports Academy used the site in 2018 and therefore no existing or recent community use would be displaced by the proposals.
- 6.1.8 Sport England have consulted the Football Foundation (who represent the FA and Herts County FA) who have advised that they would have no objection to the loss of part of the playing field (subject to the mitigation being secured) because there is no formal community use of it and there is no community use agreement in place.
- 6.1.9 Replacing the playing field that would be lost with an equivalent playing field in quantitative terms (in accordance with exception 4 of the above policy) elsewhere would not on this occasion be considered to provide a facility that would be responsive to local community needs and be sustainable to operate in practice. As the playing field area that would be lost is only 0.41 ha, it would only be possible to accommodate a single junior football pitch or two small mini football pitches in the space if a direct replacement facility was provided. Based on Sport England's experience, providing a small standalone playing field with limited supporting facilities would not usually be attractive to community youth football clubs to use because clubs prefer larger multi-

pitch sites where multiple teams within the club can play at the same time and which are supported by suitable toilet and refreshment facilities. Small playing fields are also more difficult for local authorities to sustainably manage and are likely to become vulnerable to being taken out of formal playing pitch use. It would also be unclear who would be able to sustainably manage such a facility over a long term period if it was provided given that the Valley School do not need such a facility.

- 6.1.10 In view of the above considerations that apply to this particular site, the principle of using a financial contribution to provide or enhance facilities on strategically important existing community playing field sites would be considered to offer more benefits to community sport than providing a replacement playing field of equivalent quantity on this occasion.
- 6.1.11 While Stevenage Borough Council's Playing Pitch Strategy (2014) is no longer up-to-date in terms of identifying local playing pitch needs and priorities, the recent Stevenage Local Football Facilities Plan (2020) was prepared by the Football Foundation in consultation with the Borough Council has identified a need for additional 3G artificial grass pitches and improvements to existing grass playing pitches and supporting pavilion facilities and several priority projects have been identified for addressing each of these needs. The Borough Council have been engaged by the applicant and has proposed that if the financial contribution is secured it would be used towards implementing projects that would be consistent with the Local Football Facilities Plan's priorities for addressing playing field deficiencies. Using the proposed financial contribution to deliver priority projects that would help address these needs would be considered to offer greater benefits to community sport than safeguarding the part of the playing field on the application site that would be lost given the considerations outlined above.
- 6.1.12 The Football Foundation and the Herts County FA welcome the financial contribution being used for delivering these projects. It is considered that using a financial contribution towards the delivery of football led projects would be appropriate on this occasion given that the only realistic community use of the part of the Valley School's playing field that would be lost, would be for community football use and given that the only known historic use of the school playing field by the community has been for football use.
- 6.1.13 The financial contribution that has been proposed is considered to be appropriate in terms of its amount for providing a replacement playing field that would be equivalent or better in quantity and quality to the playing field that would be lost. The proposed contribution would be equivalent to the current capital cost (based on Sport England's average facility costings) of providing a playing field equivalent in area (0.41 ha) to that which would be lost in accordance with Sport England's design guidance together with the cost associated with providing some basic toilet/refreshment facilities. Consequently, the scale of the financial contribution proposed would be adequate for delivering a replacement playing field that would meet exception 4 of our policy.
- 6.1.14 As the area of playing field that would be lost is not needed by the Valley School and does not have any existing community use, on this occasion it is not essential that the replacement facilities funded by the financial contribution are completed and operational in advance of development commencing because there is not a need to provide continuity of provision for an existing playing field user.
- 6.1.15 The new Valley School would provide replacement sports facilities including a hall, sports hall and fitness studio. While these would be replacement facilities rather than new ones, they would be superior in quality to the dated facilities in the existing school that they would replace as they would be designed to current DfE guidance. These facilities, while not being designed for community use, would in principle be expected to

be suitable for activities such as dance, fitness and martial arts. As set out in the Planning Statement, these facilities would be made available for community use and access would be secured through a community use agreement. Due to the quality of the facilities in the new school, they would offer more potential for meeting local community needs for indoor facilities than the facilities that they will replace. The remaining playing field area and replacement MUGA would also be made available for community use and secured through a community use agreement.

- 6.1.16 At present, as set out above there is no existing community use of the school's playing field and no community use agreement in place to secure such use over a long term period. Consequently, the new school would offer replacement and retained facilities that would offer much greater benefits to both the school and the local community than the existing facilities. While the benefits offered by the replacement sports facilities would not be sufficient in isolation to outweigh the detriment caused by the impact on the playing field (and thereby allow the proposal to meet exception 5 of our policy), they would in addition to the proposed financial contribution, represent an important part of the mitigation package.
- 6.1.17 On the basis of the above considerations, while I am of the view that the proposed playing field mitigation would broadly meet the intention of exception 4 of our policy, Sport England are satisfied that exceptional circumstances exist to justify a departure from our playing fields policy on this occasion in relation to the proposal not according with the equivalent or greater quantity and continuity of use criteria in exception 4 on the basis of the considerations set out above that apply specifically to this proposal.

Conclusions and Recommendation

- 6.1.18 In conclusion, it is considered that while the proposed playing field mitigation package would not fully accord with exception 4 of our policy, on this occasion based on the specific considerations set out above which are unique to this proposal, a departure to our policy in relation to expecting all of the criteria in the exception 4 to be met is considered to be justified. Sport England makes no objection to the planning application as a statutory consultee. However, this position is strictly subject to the matters set out below being addressed through a section 106 agreement and a planning condition if planning permission is forthcoming.

Section 106 Agreement

- 6.1.19 A section 106 agreement would need to make provision for the following in relation to the proposed financial contribution that would be paid by the applicant which is along the lines set out in the submitted Sport England Note:
- A £102,234 financial contribution (index linked to the date when planning permission is granted) to be paid by the applicant to Stevenage Borough Council prior to commencement of development on the application site;
 - The contribution to be ring fenced in the agreement towards the delivery of off-site 3G artificial grass pitches, grass playing pitches or playing pitch ancillary facilities within the Borough of Stevenage and the projects to be agreed in consultation with Sport England prior to the contribution being used;
 - The agreed project(s) that the contribution would be used towards to be implemented within 5 years of the contribution being paid unless otherwise agreed by the Borough Council following consultation with Sport England.

Planning Condition

- 6.1.20 A planning condition would need to be imposed on any planning permission which requires a community use agreement for the new school's sports facilities to be

submitted and approved by the local planning authority (in consultation with Sport England) prior to first use of the development in order to ensure that community access to the sports facilities (at least the school hall, sports hall, fitness studio and playing field) is secured in practice.

- 6.1.21 A community use agreement sets out a school's policy and arrangements for community use of its sports facilities and covers matters such as hours of use, types of bookings accepted, restrictions on community use etc. The agreement is usually between a school and the relevant local authority (i.e. Stevenage Borough Council) but other bodies such as Active Partnerships and sports governing bodies can also be parties. Sport England regularly secures the completion of such agreements through planning conditions on planning permissions for school developments. Such a condition is justified to avoid a scenario where community access (outside of school hours) to the proposed facilities does not take place (or is significantly restricted) following the implementation of the proposed development and to ensure that the community use arrangements are safe and well managed.
- 6.1.22 A community use agreement also provides clarity and formalisation with respect to community access arrangements for all parties. The applicant has offered to secure community use through the completion of a community use agreement in the Planning Statement. Community use agreement templates, examples of completed agreements and further advice can be provided upon request although advice should be sought from both Stevenage Borough Council and Sport England before an agreement is prepared. The following condition is requested to be imposed to address this which is based on model condition 16 of Sport England's conditions schedule.

6.2 Hertfordshire County Council Landscape Section

Existing trees

- 6.2.1 The submitted arboricultural information provides a fair assessment of the impact of the development upon the existing trees. The recommended tree protection measures and method statements, including other tree works, should be implemented in full to ensure that the retained trees are protected throughout the demolition and construction stages of the development, and remain safe for the long term. The proposed development does not have an unacceptable adverse effect upon any locally valued landscapes or views.

Landscape and visual appraisal

- 6.2.2 Overall the proposed development is not considered to result in any unacceptable adverse effect upon the locally valued landscapes.

Proposed landscaping scheme.

- 6.2.3 There is concern for the proposed landscape layout plan (LLP) that lacks any soft landscape within the school grounds and car park and appears to be dominated by hard surfacing and substantial runs of fencing. This appears to be at odds with the objectives set out within the Design and Access Statement (DAS). At this stage the landscape scheme is not supported and further detail and clarification is required to demonstrate how the scheme would deliver a high quality and pleasant environment for its occupiers.

Statutory protection, tree survey and Arboricultural impact Assessment

- 6.2.4 The submitted information confirms that there are no trees subject to a Tree Preservation Order (TPO) or located within a conservation area. The submitted

information provided with the application confirms the presence of the following trees on or adjacent to the trees:-

TYPE	TREES				TREE GROUPS				HEDGEROWS			
CATEGORY	A ⁶	B ⁷	C ⁸	U ⁹	A	B	C	U	A	B	C	U
NO.		8	2				1				1	
TOTAL	10				1				1			

- 6.2.5 In regards to the arboricultural impact assessment, the submitted information identified that no trees will be removed to accommodate the development. In addition, it also confirmed that with the regards to tree T007 (Category B, English Oak), a section of hardstand nominally intrudes within the Root Protection Area (RPA) of this tree. This identifies has only minor influence on the RPA and as such, it is considered appropriate to undertake linear root pruning, thus obviating the need for specialist no dig techniques at this location.
- 6.2.6 The submitted information also recommends works to trees for health and safety reasons. These include the removal of snapped branches, deadwood and ivy. With regards to tree protection, the Arboricultural Reports set out detailed tree protection measures and confirms the requirement for linear root pruning to one tree (Tree T007).

Valued landscapes

- 6.2.7 The northern part of the site overlaps a locally designated ‘Green Link’ as identified within the local development plan. In broad terms this policy seeks to protect the continuity of views, recreational, structural, amenity or wildlife value, and connectivity with existing ‘Green Links.’ Within this area, the proposed amenity grass reflects the existing land-use as sports pitches, and the proposed strip of wildflower grassland along the northern and eastern site boundaries, should serve to enhance the amenity and wildlife value here.
- 6.2.8 It is noted that the northern end of the site is immediately adjacent to highly sensitive land-uses that include ‘principal open space’ and ‘wildlife site’ as identified within the local development plan, however these should remain unaffected. Overall the proposed development is not considered to result in any unacceptable adverse effect upon the locally valued landscapes.

Proposed landscape scheme (Mitigation and Enhancements)

- 6.2.9 There is concern for the lack of any proposed soft landscaping throughout the school grounds which, as shown on the proposed landscape layout plan (LLP), appears to be dominated by hard surfacing comprising predominantly tarmac, wet pour rubber, and paving slabs. Indeed, the Design and Access Statement (DAS) shows the location of all soft informal spaces constrained to the sport pitches and along the eastern site boundary.
- 6.2.10 There is also concern for the lack of soft landscaping within the car park area, which currently only shows 3 proposed trees and some small areas of shrub planting. Planting is important as it provides many benefits including, for example, visual amenity, the improvement of acoustics, and the provision of shade, especially within the hard courtyard areas. It can also provide a connection between the school grounds and the wider area, especially within this landscape setting.
- 6.2.11 With regards to the outdoor learning spaces, the DAS refers to “*designated areas for specific activities including sensory areas with raised bed and mix planting.*” With regards to the two courtyards, the DAS refers to “*Raised beds provide visual amenity, sensorial experience, and opportunities for educational and health and wellbeing*”

activities. Some of the planters are proposed to be used for stormwater harvesting from rooftops. There will also be an area for staff members with ornamental planting, tables and chairs.” The LLP shows a pergola structure without any apparent planting.

- 6.2.12 The above referenced planting areas do not appear to be shown on the LLP. The provision of new allotments is fully supported in principle. There is concern for the negative impact of the proposed 1.5 m high timber paled fence to all outdoor learning areas and the allotments, upon the landscape quality and visual amenity of the circulation areas to the perimeter of the building (which are shown on the LLP as permeable tarmac areas). It is not clear what the fencing will actually look like, for example, will it have hit and miss vertical boards and some degree of visual permeability, or will it be solid and completely visually impermeable.
- 6.2.13 At this stage there is concern for the long runs of fencing that almost entirely envelop the ground floor of the building and create long narrow corridors around its periphery, and to the building entrances. From these areas it will appear as a relatively continuous high barrier that could feel overbearing.

6.3 Thames Water

- 6.3.1 With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- 6.3.2 There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way.
- 6.3.3 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
- 6.3.4 With regard to water supply, this comes within the area covered by the Affinity Water Company.

Note:- At the time of publishing this report, no additional consultation had been received by Hertfordshire County Council's Planning Department. Any additional consultation responses received by that department will be made available for the Planning and Development Committee for its consideration.

7. RELEVANT PLANNING POLICIES

7.1 Background to the development plan

- 7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002-2016 (adopted 2007).

7.2 Central Government Advice

- 7.2.1 A revised National Planning Policy Framework (NPPF) was published in June 2021. This largely reordered the policy substance of the earlier 2012 and 2019 versions of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF and the PPG, with which Members are fully familiar, are both material considerations to be taken into account in determining this application.

7.3 Planning Practice Guidance

- 7.3.1 The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

7.4 Adopted Local Plan

Policy SP1: Presumption in favour of sustainable development;
 Policy SP2: Sustainable development in Stevenage;
 Policy SP5: Infrastructure;
 Policy SP6: Sustainable transport;
 Policy SP8: Good Design;
 Policy SP9: Healthy Communities;
 Policy SP11: Climate change, flooding and pollution;
 Policy SP12: Green infrastructure and the natural environment;
 Policy IT4: Transport Assessment and Travel Plans;
 Policy IT5: Parking and access;
 Policy IT7: New and improved links for pedestrians and cyclists;
 Policy GD1: High Quality Design;
 Policy FP7: Pollution
 Policy HC4: Existing health, social and community facilities;
 Policy HC5: New health, social and community facilities;
 Policy HC6: Existing leisure and cultural facilities;
 Policy HC8: New and refurbished leisure and cultural facilities;
 Policy FP1: Climate Change;
 Policy FP2: Flood risk in Flood Zone 1;
 Policy FP3: Flood risk in Flood Zone 2;
 Policy FP5: Contaminated land;
 Policy FP7: Pollution;
 Policy FP8: Pollution sensitive uses;
 Policy NH1: Principal open spaces;
 Policy NH2: Wildlife sites;
 Policy NH3: Green corridors;
 Policy NH4: Green links;
 Policy NH5: Trees and woodland.

7.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020
Stevenage Design Guide Supplementary Planning Document January 2009.
The Impact on Biodiversity SPD 2021
Developer Contributions SPD 2021

7.6 Community Infrastructure Levy Charging Schedule

- 7.6.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development. This proposal is not CIL liable.

8. APPRAISAL

- 8.1.1 The determining issues in this application relate to the principle of development and land use policy considerations; visual impact of the development; impact on residential amenities; parking provision; highway implications; impact on the environment; trees and landscaping; biodiversity, ecology and protected species; Development and Flood Risk.
- 8.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

8.2 Principle of development and land use policy considerations

Principle of development

- 8.2.1 The application site encompasses an area of brownfield land and amenity grassland and is located within the defined urban limits of Stevenage. The provision of a new school building which provides sufficient infrastructure to support the wider community in accordance with Policies SP2, SP9 and HC5 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019). Furthermore, the NPPF (2021) under paragraph 95 states that *'it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*
- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
- b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted'.*
- 8.2.2 In addition to the above the Governments Planning Statement: Planning for Schools Development stipulates that the provision of new schools should be supported and the planning system should not be used in a way to restrict such development.
- 8.2.3 The proposed new school, being sited north of the existing school buildings, would ensure that the existing school can continue to operate so as to not disrupt the delivery of education of the pupils whilst the new school is under construction. The new school would accommodate the existing number of pupils (165) who attend The Valley School. As such, the principle of the proposed construction of the replacement school on this site is in accordance with policies set out in the adopted Local Plan (2019) and the NPPF (2021).

Impact on open space / natural turf playing areas.

- 8.2.4 Given the proposed development would be located within the curtilage of the Valley School site, the scheme would have no impact on Fairlands Valley Park and Shackleton Spring Woodland Principal Parks in accordance with Policy NH1. The northern part of site falls within the designated Fairlands Valley Green Link as fined by Policy NH4. Given this, the proposed building has been positioned so as to not encroach on the area which is designated as falling within a Green Link. As such, there would be no physical or visual break to this link with this area remaining generally untouched by the proposal.
- 8.2.5 The proposed development would result in the loss of a minor area of open space located outside of the Green Link which forms part of the playing pitch. However, this has been identified in the supporting documentation as being poor quality in terms recreational and environmental value with most of this area comprising hardstand. In addition, as set out in detail in sections 7.8 and 7.9 of this report, the proposal seeks to provide enhanced landscaping and biodiversity features which off-set the limited loss of this space.
- 8.2.6 Turning to the natural turf playing areas, part of the proposed development would result in a substantial loss of approximately 0.41ha of the natural turf playing area. As the retained area of natural turf is not sufficient to provide extensive replacement facilities, Sport England has confirmed that mitigation would be provided in the form of a financial contribution towards the provision of replacement and/or enhanced sports facilities in the area. This would have to be secured as part of a Section 106 legal agreement which at the time of drafting this report, has been executed by all parties (including Stevenage Borough Council) but will only be completed if Hertfordshire County Council is minded to grant planning permission. In addition, they would be seeking the provision of a Community Use Agreement to ensure the local community would have access to certain facilities outside of school hours. This would have to be secured via condition if Hertfordshire County Council (HCC) as Planning Authority, decides to grant planning permission.
- 8.2.7 In summary, whilst it is clear there would be an element of open space lost by this development; the proposed development would enhance the quality and usability of the remaining open space within the site, with the loss of this area compensated, in accordance with policies SP12 and NH6 of the Local Plan. In addition, great weight should be given to the construction of a new school which would enable the on-going learning of existing pupils and provide significantly enhanced classrooms and learning facilities to meet the educational needs to the pupils attending the school. Therefore, it is considered that the overall benefits of this development would significantly outweigh the loss of the area of open space.

8.3 Visual impact of the development

- 8.3.1 Paragraph 126 of the NPPF states that “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”. It goes on to state that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.
- 8.3.2 Paragraph 130 of the NPPF sets out a number of requirements for new development, including that development:
- will function well and add to the overall quality of an area;

- is visually attractive as a result of good architecture; layout and appropriate and effective landscaping;
 - is sympathetic to local character and history;
 - establishes or maintains a strong sense of place;
 - optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development;
 - creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 8.3.3 Paragraph 131 of the NPPF places great importance on the role of trees in helping to shape quality, well designed places “Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change”.
- 8.3.4 Paragraph 132 of the NPPF states that applicants “should work closely with those affected by their proposals to evolve designs that take into account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”.
- 8.3.5 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town’s built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 8.3.6 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
 - hard and soft landscape;
 - technical infrastructure – transport, utilities, services such as drainage; and
 - social infrastructure – social, commercial, leisure uses and activities.
- 8.3.7 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
 - the form and scale of buildings;
 - their appearance;
 - landscape;
 - materials; and
 - their detailing.
- 8.3.8 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-
- Context – enhances the surroundings;

- Identity – attractive and distinctive;
- Built form – a coherent pattern of built form;
- Movement – accessible and easy to move around;
- Nature – enhanced and optimised;
- Public spaces – safe, social and inclusive;
- Uses – mixed and integrated;
- Homes and buildings – functional, healthy and sustainable;
- Resources – efficient and resilient;
- Lifespan – made to last.

8.3.9 The proposed development would comprise the construction of single-storey building following demolition of the existing bungalow and associated garage. The school has been designed to provide a suitable environment with a high level of therapeutic support and teaching facilities for children with social, emotional and mental health needs. The building would comprise inner courtyards and outdoor spaces with the building being served by a dedicated and managed pick up and drop off point in a secure environment.

8.3.10 The development has been designed to fit within the natural topography of the site and positioned as far as possible from nearby residential properties. The building has also been positioned so as to not have any impact on the designated Green Link. In terms of visual appearance, the development would be finished in modern, contemporary and contrasting material to add variety and interest to the built form. The building would also incorporate green roofs on the pitched elements in order to boost biodiversity on the site as well as form part of a sustainable drainage system for the site.

8.3.11 The overall façade of the buildings would appear robust, with a combination of brick plinths running up to underside of the window with a coloured render above. The windows would be modern PPC (Polyester Powder Coating) aluminium framed windows which would be finished in a colour to complement the brickwork. The classrooms are detailed as showing a mixture of natural ventilation and horizontal louvres in order to service the mechanical ventilation and openable windows. The main entrance of the building and sports hall would have a strong visual presence with the combination of brick and feature cladding. The façade itself has been designed so that the masonry and glazed detailing naturally flow to form a series of vertical panels. The cladding itself reflects the school's theme of using purple with a random pattern in order to create something which catches the eye and complements the contemporary modern design.

8.3.12 Given the above, it is considered that the proposed development has been designed to the highest quality standard and would significantly enhance the visual appearance of the site. Moreover, the building appears functional and has been designed to meet the needs of the pupils who attend the school. Therefore, it can be concluded that the proposed development would accord with the policies set out in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the NPPF (2021) and PPG.

8.4 Impact on residential amenities

Outlook and Privacy

8.4.1 The Council does not have specific policies when it comes to outlook and privacy for non-residential development. Notwithstanding this, the school building being single-storey and located approximately 41m from the nearest residential properties on Shackledell, is unlikely to cause any significant issues in terms of outlook and privacy.

8.4.2 In addition to the above, the scheme would seek to retain a number of mature trees which run along the eastern boundary of the site with a combined boundary wall. This

would ensure that the development is well-screened from the nearby residential properties.

Sunlight and Daylight

- 8.4.3 Due to the siting, design and scale of the proposed development, it would not cause any significant loss to the level of sunlight or daylight which is currently received by neighbouring properties.

Noise

- 8.4.4 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses.
- 8.4.5 The application is supported by a Noise Impact Assessment prepared by DBX Acoustics (dated April 2021, report reference 21020 The Valley SEN School R01). The assessment concludes that the development would not cause any unacceptable harm on the amenity of neighbouring residents. In addition, mitigation measures through the provision of sound insulation where required are also detailed within this assessment. This is in order to ensure the proposal meets the relevant standards on noise.
- 8.4.6 Following consultation with the Council's Environmental Health Section, they have not raised concerns in relation to the proposed development in terms of noise. This is due to the fact the site is already operating as a school, so the environment in terms of noise is not changing significantly. In terms of construction, the Council's Environmental Health Section has recommended a condition relating to hours of construction. This is in order to mitigate the impact of construction activities on local residents. An appropriately worded condition should therefore be imposed if HCC are minded to grant planning permission.

8.5 Parking provision

- 8.5.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission would be granted where proposals comply with the parking standards set out in the plan. The Council's adopted Parking Standards and Sustainable Transport Supplementary Planning Document designates the site in an 'all others area' zone allowing for a 75-100% provision of the required parking provision. Based on the requirements of the 2020 SPD the following provision would be required based on the proposed development details submitted –
- 1 space per full time staff (75 staff);
 - 1 space per 100 pupils (165 pupils); and
 - 1 space per 20 pupils under the age of 17 (165 pupils).
- 8.5.2 Calculating the requirements for the proposed school based on the above standards, the proposal would require between 63 spaces to 84 spaces. The development seeks to provide 63 parking spaces which accords with the Council's adopted standards. In terms of electric cars the newly adopted SPD requires 20% provision of active EVCPs, with the remaining 80% to have at least passive infrastructure provided for future installation. The development proposes to install 7 no. charging points which would serve 2 spaces each, so 14 in total. This exceeds the requirement to provide a minimum of 13 EV spaces.

8.5.3 For disabled parking, there is a requirement to provide 1 space for each employee who is a disabled motorist and 5% of the total capacity. In addition, a further 5% of total spaces should be to an enlarged standard which can be adapted to be parking spaces for those who are disabled in the future. Taking these standards into consideration, there would be a requirement to provide 3 spaces plus an additional 3 spaces for the future. The proposed development would seek to provide 6 disabled spaces plus some additional spaces which are of a sufficient size to be converted in the future if required. As such, the proposal would have more than sufficient disabled parking provision in line with the Council's standards.

8.5.4 Turning to cycle parking, the standards set out the following requirements:-

- 1 long term space per 8 staff;
- 1 long term space per 8 pupils; and
- 1 short term space per 100 pupils.

As such, there would be a requirement to provide 32 cycle spaces. The proposed development would seek to provide 36 cycle spaces which would exceed the Council's requirements. Given this site is highly accessible by bicycle, any additional spaces to encourage a modal shift away from the private car are supported by officers.

8.5.5 Overall, the proposed development would accord the requirements set out in the adopted Parking Standards and Sustainable Transport SPD (2020) and Policy IT5 of the adopted Local Plan (2019).

8.6 Highway implications

8.6.1 The application site, which currently operates a one-way system for all vehicular traffic, is currently accessed off Broadhall Way (A602) which is a principal road. Vehicles then egress the site via the gated exit onto Valley Way. The proposed development would seek to utilise this existing operational arrangement in terms of highway access and egress. The site is also accessible via public footpath and can also be accessed by people on bicycles and this arrangement will remain unchanged.

8.6.2 Further to the above, the site is highly accessible by bus with the nearest bus stop (eastbound) being located 100m south on Broadhall Way. The second bus stop (westbound) located on this road would be located 320m from the school. As such, both stops are within the recommended 400m walking distance from the site and therefore, the TS sets out that no improvements or additional measures are required to facilitate access to the existing transport network.

8.6.3 Dealing with personal injury collision, the data obtained by Hertfordshire County Council (as set out in the applicants Transport Statement (TS)) show that a total of 18 accidents have taken place over the course of a 5 year period, an average of 3.6 accidents per year. The accidents recorded are slight severity and there are very few accidents involving pedestrians. Based on the information provided, the TS sets out the proposed development will not lead to an increase in the number and type of accidents noted above.

8.6.4 The above is considered to be a reasonable assumption as the proposal seeks to replace the existing school which is currently in operation. In terms of its operation, the proposal does not seek to increase the capacity of the school which is currently 75 staff

and 165 pupils. However, in terms of betterment to the existing access arrangement, the applicant has confirmed as set out in an Access Arrangement Document that the gates will remain open during the day when the site is operating. This is in order to help alleviate vehicles queuing into the road when accessing the site. Currently, vehicles have to wait in the layby in order to access the site.

- 8.6.5 With regards to trip generation, data has been obtained from the existing school and detailed in the TS. The school opening hours are between 0900 and 1510, up to 1630 to account for afternoon school clubs. The school therefore, does not generate PM Peak hour trips, and there are no trips at the weekend. The TS provides a detailed mode split of pupils and staff travel, where the existing school can generate 67 staff car movement trips in the AM peak, and 42 car movements associated with pupils. 104 pupils access the school via the school bus, with 2 staff members walking, 2 accessing public transport and 4 cycling.
- 8.6.6 The existing travel plan for the school seeks to reduce the number of staff vehicle movements through the promotion of walking, cycling and public transport as viable alternative methods of travel to/from the school. Given the identified flows of traffic which are already on the network, it is not considered the proposed development would cause significant highways issues to arise.
- 8.6.7 Turning to construction traffic, it is noted that these would be accessing the site whilst the existing school is in operation; therefore, it is recommended that Hertfordshire County Council imposes a condition for Construction Traffic Management. This would ensure that there are no conflicts with existing users of the school site and control the level of impact on the surrounding highway network.
- 8.6.8 In relation to the existing school itself, it is noted that this would still be in place once the new school is in operation. As such, the vacated school should no longer be used as the TS submitted with the application is based on a set number of pupils and staff. Therefore, it is agreed, as set out in the Access Document that a condition should be imposed to ensure the existing school buildings are no longer used once the staff and pupils have transferred to the new school buildings. If the existing buildings were to be used in the future, Stevenage Borough Council would want to be formally consulted on any applications.
- 8.6.9 As the proposed development does not seek to amend the existing access arrangement and the overall level of traffic generation / vehicle movements for the school will not change, it is considered unlikely the proposed development would prejudice highway safety. Given the above and with the use of appropriate conditions, the proposal is considered acceptable in this regard. However, it would be for Hertfordshire County Council as Highway Authority to advise as the technical expert on highway related matters as to whether or not the proposed development would prejudice highway safety.

8.7 Impact on the environment

Contamination

- 8.7.1 The application site, as detailed in the applicants Ground Site Investigation Report, identifies that the site was previously fields prior to the construction of the site as a school. The report concludes that there are no elevated concentrations of contamination with the soils and made up ground beneath the site. As such, it is considered that there

should be no risk to the population, environment or water bodies and no remediation is necessary.

- 8.7.2 Following consultation with the Council's Environmental Health Section, they do not raise any concerns with the overall findings of the Ground Site Investigation Report. However, they do recommend a condition is imposed to any permission issued. The condition would be a catch-all condition in that in the event previously unidentified contaminants are identified during the demolition and construction phases of the development, then a remediation strategy would need to be submitted for approval. That strategy would then need to be put in place prior to works re-commencing accordingly.
- 8.7.3 The above condition would ensure that in the event unsuspected contaminants were found, the relevant measures are put in place in order to protect the population, environment and water bodies.

Air Quality

- 8.7.4 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Looking at air quality and air pollution specifically, The Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA). In terms of Air Quality in the nearby area surrounding the development site, the nearest diffusion tube and their reading in the aforementioned Report are as follows:-

- Tube 3 (Valley Way) – 18.1 NO₂ µg/m

The data above shows that the readings do not exceed the NO₂ annual mean objective of 40µg/m³. This generally shows that the Air Quality in the area is within national guidelines.

- 8.7.5 The air quality assessment undertaken by the applicants consultant (Report prepared by Redmore environmental, June 2021, report reference:- 4195r1) focuses on both the demolition/construction phase and operational phase of the development. Dealing with the construction phase, it is noted that there would be activities which would affect local air quality. These include dust emissions and exhaust emissions from plant, machinery and construction traffic.
- 8.7.6 In terms of the construction phase of development, the applicant would be looking to put in place a number of mitigation measures to reduce impact on air quality. This includes the development and creation of a Dust Management Plan (DMP), overseeing the management and monitoring of dust which is generated during the construction phase with mitigation measures (e.g. enclosure of specific operations, dust causing activities located away from residential properties, covering stockpiles) put in place. It also sets out a restriction on the use of fires (which is also a requirement of Environmental Health) as well requiring vehicles to be switched off when stationary. Replacing the use of diesel or petrol power generators with the use of mains electricity is also recommended.
- 8.7.7 Cutting and grinding equipment would incorporate dust control measures along with the use of dust suppression measures on site. In addition and where required, it is

recommended to use dust sweepers on the roads, implement wheel washing facilities and to ensure materials are covered then they leave and enter the site.

- 8.7.8 In terms of the operational phase, the scheme has been designed to operate a net zero carbon operation (See Section 7.11 for further details). The scheme is also looking to provide a number of EV charging points as well as trying to encourage staff through the travel plan to use alternative forms of transport other than the private car. Furthermore, appropriate signage could also be erected on-site to encourage visitors / drop offs to switch off vehicles when stationary in order to further reduce emissions. With these measures in place, they should reduce the development's operational impacts on the wider environment.

8.8 Trees and landscaping

- 8.8.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.
- 8.8.2 The application is accompanied by an Arboricultural Impact Assessment (AIA) which identifies that there are total of 10 trees, one group of trees and one area of hedge. The trees are located along the eastern boundary of the site adjacent to the properties in Shackledell. The trees are not protected by a Tree Preservation Order (TPO) and as the site is not located within a Conservation Area, no permission is required from Stevenage Borough Council to undertake any works to these trees.
- 8.8.3 With regards to the impact on these trees, as set out under paragraph 6.2.5, none of the trees are to be removed as part of this development proposal. In terms of works to the trees, the AIA identifies the need to undertake some tree surgery works (see paragraph 6.2.6). It is considered that these minor tree surgery works would help support the health and vigour of the retained trees.
- 8.8.4 Turning to the protection of trees during construction, the AIA recommends the use of protective fencing in accordance with BS 5837:2012 around the Root Protection Areas (RPA). This fencing would be erected prior to the commencement of any development on-site to ensure maximum protection is in place. All the tree protection barriers would remain in place and regarded as sacrosanct i.e. they cannot be removed or altered without the prior consent of the Local Planning Authority Arboricultural Officer.
- 8.8.5 In terms of construction, the installation of a new hard surfaced area for a section of the proposed informal area would encroach within a small portion of the RPA of tree T007 (English Oak). Due to the minor level of intrusion, the AIA recommends the applicant undertake linear root pruning as part of the access facilitation pruning works (pruning to reduce the crown of a tree). This would obviate the need for the applicant to undertake a no dig construction method in this situation. The main school building itself is not located within an RPA or fall under the crown spread of a retained tree etc.
- 8.8.6 In relation to site construction set up, there is adequate space within the site to locate site compounds away from the RPA of any trees and landscape features which are to be retained. In terms of the site during construction, this would be regularly monitored by the appointed Arboricultural Consultant in accordance with the Arboricultural Method Statement and Tree Protection Plan prepared as part of the AIA. This would ensure that no damage is caused to any trees during the construction phase of development.
- 8.8.7 Given the aforementioned assessment, as no trees are to be removed and sufficient protection measures would be put in place for trees which are to be retained, it is not considered that the proposed development, including its construction would cause

harm to these trees. However, it is recommended these tree protection measures are secured by condition if the County Council is minded to grant planning permission.

- 8.8.8 Turning now to landscaping, the application is accompanied by a hard and soft landscaping plan. These plans provide details of the hard landscape materials, boundary treatments, wildlife habitat features along with soft landscaping. In terms of soft landscaping, the plans provide details of proposed shrub planting, tree planting, and wildflower grassland as well as details of the tree pits.
- 8.8.9 It is noted that the HCC's Landscape Section has raised concerns around the proposed landscaping strategy. Officers would agree with their comments in that the strategy proposed is predominantly for hard landscaping and these areas should be softened up in order to create a sense of place. In addition, the provision of additional soft landscaping would significantly enhance the overall visual appearance of the development as well as provide additional biodiversity benefits.
- 8.8.10 Taking into consideration the above, it is recommended that the overall landscaping strategy is revised based on the comments raised by HCC's Landscape Section before a decision is issued. However, if HCC is under pressure to make a formal decision on the application, it is recommended that if HCC is minded to grant permission, a condition should be imposed to any permission issued. It is recommended this condition requires a detailed hard and soft landscaping strategy (including outdoor furniture) be submitted prior to construction of any hard and landscaping works associated with the development take place.
- 8.8.11 In relation to the trees, the Council's Arboricultural manager does not raise any concerns to the proposed development from an arboricultural perspective. However, they suggest be imposed if the County Council is minded to grant planning permission. This condition will require the applicant to carry out the necessary cutback works by a qualified tree surgeon and sympathetically to the trees health, stability and amenity value.

8.9 Biodiversity, Ecology and Protected Species

- 8.9.1 The NPPF and accompanying Planning Practice Guidance requires the Council to achieve measurable net gains in biodiversity at development sites and across the Borough. To achieve a biodiversity net gain, a development must deliver a minimum of 10% net gain post development, when compared with the pre-development baseline. The Council's recently adopted Biodiversity SPD (2021) requires all major and minor applications other than the following exemptions currently suggested by the Government to demonstrate a net gain in biodiversity:
- i. Permitted development;
 - ii. Householder development, including extensions;
 - iii. Nationally significant infrastructure, which falls within scope of the Planning Act 2008;
 - iv. Some brownfield sites with marginal viability and substantial constraints. It is expected that full details to be set out in secondary legislation, but considerations are likely to include where sites contain a high proportion of derelict land and buildings and only a small percentage of the site is undeveloped, land values are significantly lower than average, and the site does not contain any protected habitats; and
 - v. Developments that would not result in measurable loss or degradation of habitat, for instance change of use of or alterations to building.

- 8.9.2 The application is accompanied by a Biodiversity Survey Report which includes details of an extended Phase 1 Habitat Survey along with a Desk Study utilising record from the Hertfordshire Environmental Records Centre (HERC). In addition, utilises data and information from the Multi Agency Geographical information for the Countryside (MAGIC). The Report also details surveys which were undertaken, which included bat surveys as well as a flora and fauna survey of the site, invasive species survey as well as other wild animals.
- 8.9.3 The site is identified of being predominantly made up of hardstand including former play areas with small pockets of amenity grassland. The proposal also seeks to demolish the former caretaker's bungalow and bungalow. There are no statutory or non-statutory designated sites or ancient woodlands which occur upon the site itself. In addition, there are no Special Areas of Conservation (SAC) or Special Protection Areas (SPA) within 8 km radius of the site and therefore, no impacts will occur upon statutory sites of European Importance.
- 8.9.4 There is one statutory designated site of National Importance, namely Knebworth Woods Site of Special Scientific Interest (SSSI), lies within 1 km of the site. However, there are no Local Nature Reserves (LNR) within a 2 km radius of the site. Turning back to the SSSI, due to the significant level of separation combined with the relatively minor nature of the proposed development, it is not considered that it will have a detrimental impact on the SSSI.
- 8.9.5 In terms of non-statutory Local Wildlife Sites (LWS) within a 2 km radius, there are 26 in total, 3 of which are located in close proximity to the development site. These are as follows:-
- Shackledeell Grassland;
 - Triangular Grassland by Fairlands Valley Park;
 - Valley Way Wood.
- 8.9.6 Whilst the LWS border the application site, the proposed building itself would be located over 100m away from these sensitive areas. As such, the building itself would have no direct impact on the LWSs in this instance. However, given the proximity of the site to these sensitive areas, there is a chance some of the construction works could potentially have an indirect impact upon the biodiversity of these areas. Therefore, a Construction Environmental Management Plan would need to be formalised. It is recommended that this is secured via a condition if the County Council were minded to grant planning permission.
- 8.9.7 In terms of the other 23 LWS as well as the ancient semi-natural woodland, these are located in excess of 320m from the site according the MAGIC. Given the significant level of separation, it is not envisaged the proposed development would cause any harm to these areas. Turning to the on-site habitat, as set out in paragraph 8.9.3, the site predominantly comprises previously developed land with a small pocket of amenity grassland. The proposed new building would be located to the north of the existing building and would be located on the previously developed land and amenity grassland.
- 8.9.8 The assessment sets out in more detail the habitats which would require removal in order to facilitate this development. The habitats to be removed, apart from the amenity grass land, include scattered tall ruderal (plant that grows on waste land), scattered ephemeral / short perennial vegetation, areas of hardstanding, the two on-site buildings as well as areas of scattered scrub. The Biodiversity Survey has identified that the key ecological features of the site are identified as the hawthorn edge. In addition, there are a number of mature trees off-site with some of the eastern and northern edge

hedgerow being identified as low value. As such, the site generally has a low ecological value.

- 8.9.9 The Biodiversity Report suggests that by designing in many of the existing natural habitats as possible, this would result in the unavoidable loss of existing habitats to be minimised. In addition, where vegetation is to be removed, suitable replacement planting (see Section 7.8 for further details) would need to be put in place in order to mitigate the impact on vegetation loss.
- 8.9.10 With regards to bats, the Biodiversity Report recommends bat detector surveys are undertaken of the existing caretakers bungalow and garage to determine whether or not these buildings support an ecologically significant bat roost or roosts. This is because during inspections of the bungalow, evidence of bats being present was identified. The need for and scope of the required licenced bat mitigation would be governed based on the findings of the bat detection survey work. In terms of the garage, no evidence was identified.
- 8.9.11 Further to the above, the Biodiversity Report recommends the provision of bat boxes as replacement roosting opportunities would be required. In addition, external lighting would need to be carefully designed so as to not affect bat roosting (if in the area) and foraging activities. It is recommended these are controlled by condition if the County Council are minded to grant planning permission.
- 8.9.12 Looking at priority habitats, one habitat of principal importance occurs on site, namely two-native species dominated hedgerows. In terms of offsite, but bordering the site, these are an area of lowland mixed deciduous woodland, scrub and unimproved grasslands which are of principal importance. There are also potential relevant priority species which include wild mammal species, notable bird species and invertebrates. In terms of mitigation measures, the Report sets out that measures during construction would need to be put in place for mammals and in relation to birds, clearance works should only take place outside of the nesting season. The report also suggests that bird boxes should also be fitted to new buildings and on the retained trees. Given the suggested mitigation measures as well as improving nesting opportunities, these aspects should also be managed by an appropriately worded condition.
- 8.9.13 In relation to reptiles and amphibians, the report recommends that the on-site amenity grassland would need to be carefully managed to ensure the proposed work areas remain unfavourable for foraging and sheltering. With respect to invertebrates, the report suggests the provision of a loggery to provide a dead wood habitat should also be created to enhance the environment for invertebrates.
- 8.9.14 In terms of invasive species, there was one floral species identified as a species subject to control under the Wildlife and Country Side Act 1981 (as amended) was noted, namely wall spray (invasive perennial plant). The Biodiversity Report advises this would need to be removed and appropriately disposed of.
- 8.9.15 Turning now to Biodiversity Net Gain, the applicant has submitted a Biodiversity Net Gain Assessment. The scheme has been predicted to achieve 24.36% (0.79 units) net gain with respect to habitats (non-linear) and a 97.31% (1.10 units) net gain with respect to hedgerows (linear). The landscaping strategy detailed would achieve the minimum threshold of 10% net gain. Following consultation with Herts and Middlesex Wildlife Trust (HMWT), they do not raise any in principle concerns with the application. However, they request a full copy of the Natural England biodiversity metric spreadsheet should be sought in order to enable the summary figures in the report to be verified.

- 8.9.16 Further to the above, HMWT do not consider the wildflower mixes specified in the landscape do not accord with naturally occurring communities are deemed to be unacceptable. As such, they recommend more authentic mixes that simulate NVC (National Vegetation Classification) communities are required for this site.
- 8.9.17 In relation to the hedgerow and scrub mixes, these will need to contain a minimum of 8 species to maximise opportunities for biodiversity. Once the recommended changes have been undertaken by the applicant, HMWT recommend the application can be approved with a condition for landscape and ecological management plan (LEMP) that delivers the habitat set out in the applicant's metric calculations for biodiversity net gain.
- 8.9.18 Given the above, the Council recommends that Hertfordshire County Council (HCC) should seek a copy of the Natural England Biodiversity metric spreadsheet from the applicant in order to verify the summary figures contained in their report. In addition, HCC should also seek amendments to the landscaping strategy in order to overcome the concerns which have been raised by HMWT before any final decision is made by the Council. This will ensure that the proposed development accords with Stevenage Borough Council's adopted Biodiversity SPD (2021).

8.10 Development and Floodrisk

- 8.10.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as lands having less than 1 in 100 annual probability of flooding, therefore, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy.
- 8.10.2 The proposed drainage strategy for this development would comprise the provision of green roofs, rain gardens, permeable surfaces, filter drainage and perforated pipes, underground geo-cellular attenuation tanks combined with the provision of petrol interceptors, silt traps and similar devices used as part of the overall drainage strategy. It is noted that the site is constrained in being able to use infiltration techniques.
- 8.10.3 HCC as the determining planning authority would need to ensure that the development has an acceptable drainage strategy through consultation with HCC as Lead Local Flood Authority (LLFA). In addition, it would need to impose appropriate conditions to ensure that the drainage strategy as agreed by the LLFA is put in place prior to first occupation of the development.

8.11 Archaeology

- 8.11.1 The application is accompanied by an updated Archaeological Assessment prepared by AOC Archaeology Group (Dated: September 2021, Document reference:- 34432). This has identified that there is potential for remains dating to the later prehistoric, Roman, medieval and post-medieval periods to be present within the site. However, as the site was previously levelled in order to facilitate the construction of the school and associated playing fields, it is likely this would have resulted in the removal or truncated any surviving archaeological remains in at least some areas of the site.
- 8.11.2 As a result, the Archaeological Assessment which includes a Written Scheme of Investigation (WSI) details further archaeological investigations which need to take

place on site, including a geophysical survey and trial trenches within the open areas of the site. The results of the investigation will then be presented to the County Council as Local Planning Authority.

- 8.11.3 The County Council as the determining authority will need ensure whether the details set out in the WSI are acceptable. This is because any potential archaeological remains within the site which are identified are properly recorded. Therefore, the County Council will need to engage the County Archaeologist to determine that the methodology in the WSI is acceptable and if required, to impose appropriately worded conditions if it was minded to grant planning permission.

8.12 Other matters

Sustainable construction and climate change

- 8.12.1 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:

- Ways to ensure development is resilient to likely variations in temperature;
- Reducing water consumption to no more than 110 litres per person per day, including external water use;
- Improving energy performance of buildings;
- Reducing energy consumption through efficiency measures;
- Using or producing renewable or low carbon energy from a local source; and
- Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

- 8.12.2 The proposed development has been designed to target net zero carbon operation, and incorporates the following sustainability measures:-

- High level of insulation combined with a high performance building (based on a fabric first approach) to limit heat loss and gain as well as minimise the level of air leakage;
- Provision of triple glazed windows, with the glazing design to reduce heating demands in the winter as well as reduce solar gains in the summer to reduce cooling demand;
- External shading to further reduce solar gains;
- Construction of green roofs to provide additional cooling along with biodiversity enhancements;
- Mechanical ventilation systems with a heat recovery system;
- Installation of point of use water heaters to reduce demand for energy to supply hot water;
- Water-based air source heat pump systems for space heating;
- Rooftop solar PV to provide a renewable energy resource;
- Energy efficient plant, equipment and lighting;
- Ongoing metering and monitoring during operation in order to manage and ensure ongoing efficiency.

- 8.12.3 With the above measures in place, the proposed development would be adaptable to climate change in accordance with Policy FP1. However, to ensure the development meets the net zero carbon operation, which this Council very much welcomes, the Council recommends that HCC imposes a condition to any planning permission issued. This condition should require the development to be constructed in accordance with the

sustainability measures detailed in the application submission prior to the first occupation of the building.

Waste and recycling

- 8.12.4 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The application submission does not specify how waste and recycling would be managed for this development. Therefore, the County Council would need to ensure that there is sufficient waste and recycling facilities to serve the new school building.

Community Infrastructure Levy

- 8.12.5 As indicated above, the Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

Development Type	CIL Rate (£ per square meter)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market housing	£40/m ²	£100/m ²
Sheltered housing		£100/m ²
Extra care housing		£40/m ²
Retail development		£60/m ²
All other development		£0/m ²

- 8.12.6 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

- 8.12.7 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. The proposed development would generally be liable for CIL, but as it would fall into the category "All other development", CIL would be £0.

Crime prevention/anti-social behaviour/security

- 8.12.8 There are no crime related issues with the proposed development as identified by the Police Crime Prevention Design Advisor. In addition, it is evident that the applicant has approached the Police Crime Prevention Design Advisor to ensure the building meets Secure by Design accreditation.

Human Rights and Equalities

- 8.12.9 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 8.12.10 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 8.12.11 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 8.12.12 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 8.12.13 The existing school currently operates as a Special Educational Needs (SEN) school and therefore, there are pupils whom attend this school who have protected characteristics as identified in the Equalities Act 2010. Specifically, the school caters for pupils who have autism, speech, language communication and learning difficulties. The proposed development seeks to replace the school because the buildings are dated, are in a poor condition with ongoing significant costs in maintenance and repairs. In addition, the school was originally designed as a mainstream school and therefore, does not provide for the specific requirement of the pupils who attend. As such, the existing school buildings are no longer fit for purpose.
- 8.12.14 The new school has been designed to cater for needs of the pupils who currently attend. The school would comprise a series of year group clusters containing classrooms, social and dining areas, calm rooms and break out areas. There would also subject specific class rooms incorporating ICT facilities, music practice rooms, hall and drama spaces, sports hall and fitness area. All of the clusters will have direct access to external spaces. The building has also been designed to be fully compliant with Part M of the Building Regulations which relates to access, specifically for those who are disabled.
- 8.12.15 Given the above, the proposed development would not have a detrimental impact on persons with protected characteristics. This is because the new school building seeks to replaced outdated educational facilities for those who are disabled. Therefore, it can be deduced that the proposed development would not result in any form of discrimination as identified in the Equalities Act 2010.

Statement of community consultation

- 8.12.16 This application is accompanied by a Statement of Community Consultation (SCC) which has been prepared by Smith Jenkins Ltd (document reference: 811, dated June 2021). This document set out that pre-application consultations were undertaken with HCC Development Management Team along with HCC as LLFA, HCC as Highways Authority, HCC Archaeology and Sport England. The document also sets out that a consultation was undertaken with the local community which was held virtually and

went live on the 28th June 2021. This virtual consultation, in support of an in-person Public Consultation, was launched by the application due to Covid-19 and the hesitancy of the general public in terms of attending the public event once restrictions had been lifted at that point. This approach ensures that everyone is given an equal opportunity to provide any comments they had on the proposed development.

8.12.17 The website was advertised to Councillors and via HCC and The Valley School channels to relevant stakeholders including parents and local residents. The in-person public consultation was held on the 22nd June 2021 which was held at the school. This was advertised through a leaflet drop to residents in the local street, and through the school channels.

8.12.18 Focusing on the public consultation event, as officers at Stevenage Borough Council were not involved in pre-application discussions, the comments raised related to external and outdoor space, construction strategy and management, light pollution and future expansion of the school. These comments have been taken into consideration by the applicant and helped shape the proposed development which has been submitted to Hertfordshire County Council for its decision.

9. CONCLUSIONS

9.1 In summary, and subject to the imposition of appropriately worded conditions, the replacement school would accommodate the same number of pupils and staff members. The principle of development on this site is acceptable being an established school site with the scheme itself meeting specific educational needs. The proposed development has been designed to ensure the existing school can operate during its construction so as to not disrupt the education of pupils who currently attend the school.

9.2 The school would also provide wider community benefits through the availability of a new hall, sports hall and fitness studio, as well as outdoor sports facilities, which would be made available for community use outside of school hours. The proposed building has been positioned outside of the Green Link and therefore, would not create a physical break. The development would also introduce a variety of enhancements, including landscaping and biodiversity, subject to addressing the concerns which have been raised in this report, along with the provision of sustainability measures. Furthermore, the proposal would not have a significant impact on trees, ecology or residential amenity. Moreover, the proposed development would not cause issues of flooding or generate environmental issues such as noise and air pollutants.

9.3 Given the aforementioned assessment, it is considered that on balance, the proposed development accords with the Council's adopted Local Plan (2019), the Council's Supplementary Documentation, the NPPF (2021) and PPG.

10. RECOMMENDATIONS

10.1 That the Council raises No Objection to the proposed development. However, this is subject to the County Council ensuring the proposed development does not prejudice highway safety and has an acceptable drainage strategy. Furthermore, the Council recommends that appropriately worded conditions are imposed to any permission issued as specified in this committee report. Moreover, that the concerns raised in respect to landscaping and biodiversity net gain are sufficiently addressed before any formal decision is made by Hertfordshire County Council as the determining authority.

11. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Stevenage Design Guide adopted October 2009, The impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.